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ABSTRACT

This brochure is intended to inform parents and educators regarding the use of assistive technology devices and services in the special education evaluation process and programming. It is designed to help team participants develop the student's Individualized Education Program (IEP). Topics covered include: (1) the federal definition of assistive technology devices and services; (2) legal responsibilities of the school district; (3) multidisciplinary team meetings; (4) student evaluation; (5) IEP development; (6) IEP implementation; (7) IEP review; (8) assistive technology training; and (9) assistive technology funding. The brochure closes with answers to frequently asked questions on assistive technology. A list of North Dakota assistive technology resources is also provided. (CR)

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Assistive Technology for Students with Disabilities: Information for Parents & Educators.

North Dakota Department of Public Instruction

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ASSISTIVE TECHNOLOGY FOR STUDENTS WITH DISABILITIES

INFORMATION FOR PARENTS & EDUCATORS

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INTRODUCTION

The purpose of this brochure is to inform parents and educators regarding the use of assistive technology devices and services in the special education evaluation process and programming. The information will be helpful as team participants develop the student's Individualized Education Program (IEP).

FEDERAL DEFINITION

As defined in the federal special education regulations, an assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. An assistive technology device means any item, piece of equipment, or product system, whether acquired commercially, off the shelf, modified or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability.

The term assistive technology device encompasses a broad range of assistive devices from "low tech" such as pencil grips and paper stabilizers, to "high tech" learning tools such as voice synthesizers and braille readers. The decision as to whether the student requires assistive technology to receive an appropriate educational opportunity is made by the IEP team. In making its decision, the IEP team must consider evaluation data and the individual needs of the student in relation to his/her education program.

LEGAL RESPONSIBILITIES

The school district is legally responsible to consider assistive technology for the student during the evaluation process and as a possible service on the IEP. In accordance with the Individuals with Disabilities Education Act (IDEA), schools are required to provide assistive technology devices and services to an eligible student if the IEP team determines that the student needs an assistive technology device and/or service to receive a free appropriate public education. The parent, and student when appropriate, should be a member of the IEP Team.

MULTIDISCIPLINARY TEAM MEETING

The parent is part of the multidisciplinary team that will discuss whether an assistive technology evaluation is needed. The team will review all evaluation results and determine if the student has a disability that adversely affects educational performance and because of that disability needs special education.

EVALUATION

If it is determined during the evaluation planning meeting or the IEP meeting that an assistive technology evaluation is needed, the multidisciplinary team must decide who will provide the evaluation. A school may use its own personnel or contract with an outside evaluator for the assistive technology evaluation. In either case, individuals conducting the evaluation should be

knowledgeable and have experience in conducting such assessments.

The assistive technology evaluation must be tailored to the unique needs of the students. In some cases, the evaluation may be conducted by a team of individuals; in other cases, the evaluation may be conducted by a single individual.

INDIVIDUALIZED EDUCATION PROGRAM

The data gathered from the comprehensive evaluation conducted by the multidisciplinary team must be used in the development of the IEP. Therefore, if an assistive technology evaluation was conducted as part of the comprehensive evaluation, IEP team members must consider the results and recommendations of the evaluation when developing the IEP.

Some IEP objectives for the student may be accomplished only with the use of assistive technology. Examples could include:

- ◊ Access to a computer for word processing
- ◊ Use of a spell checker for written composition exercises
- ◊ Pencil grips to improve writing skills
- ◊ Hand-held calculators for certain math assignments
- ◊ A lap board for students with physical disabilities

The IEP team determines what assistive technology is necessary for the student.

IMPLEMENTATION OF IEP

Consideration should be given for day-to-day equipment operation and maintenance, such as who will check that the equipment is operating, what repairs are required, or if backup equipment is needed. It is important to identify a person who will be responsible for monitoring the assistive technology device as well as its implementation. This person may be the special education teacher or another member of the staff who is knowledgeable of the student's program and the device(s) used. A contingency plan should be in place in case a piece of equipment breaks.

IEP REVIEW

The student's IEP should be reviewed at least annually. As part of the IEP, there should be a review of the effectiveness of assistive technology that has been implemented and whether any revisions need to be made.

Reviews should also occur more frequently if the assistive technology is not working or if the IEP team determines the student is ready to use another technology device or service. A review is particularly important if the student is transitioning to a different educational environment. Staff members who are unfamiliar with the devices should be trained, and the new setting should be analyzed to ensure its compatibility with the assistive technology.

TRAINING

Since each student's technology needs are unique, the support necessary for implementing technology requires a variety of types of training for school personnel, parents, and others. Training can take place on several different levels and for various audiences.

Depending on the type of assistive technology used by the student, it may be an advantage to share that information with the student's peer group. Such training will help others gain an understanding of the student's assistive device, foster acceptance in the social environment, and reduce fears about socializing with the student who uses technology. Prior to peer group awareness training, the instruction should be discussed with the parent and the student. The school should invite the parent to participate in the sessions.

Depending on the needs of the school districts, assistive technology training topics could include areas such as: information on how assistive technology relates to the evaluation process; how to write IEPs for students who require use of assistive technology devices; common assistive technology devices; and information on how to integrate assistive technology into the regular classroom.

In some cases, parents will require training so the device may be used at home for the student to complete homework assignments. The parents will become a resource to the student for proper care and maintenance of the device.

FUNDING

If the student is eligible for special education and requires assistive technology to receive a free appropriate public education, the school must provide or arrange for the provision of the appropriate assistive technology and services at no cost to the parent(s).

Some health insurance plans will buy equipment, but it depends on the policy. Parents' private health insurance and/or Medicaid may be used to pay for assistive technology aids and services. However, the parents must give permission to use their private insurance and Medicaid. Generally, the equipment must be considered medically necessary therefore, a doctor's prescription will be required.

QUESTIONS AND ANSWERS

These are some frequently asked questions regarding assistive technology.

1.Q. Are schools required to pay for assistive technology devices and services?

A. It is the responsibility of the school district to provide the equipment, services, or programs identified in the IEP. The school district may pay for the equipment, service, or programs itself, utilize other resources to provide and/or pay for the device and/or services, or cooperatively fund the device(s) and or services. Other resources may include, but are not limited to, Medicaid, foundations, fraternal

organizations, church or social groups, charitable organizations, businesses, and individuals.

2. Q. Can schools require the parents to pay for assistive technology device(s) or service(s) identified in their student's IEP or require the parents to use their own private health insurance to pay for the device and/or services?

   A. The "free" in "free appropriate public education" is extremely significant regarding students with disabilities who may require assistive technology devices or services. As stated in IDEA and its regulations, all special education and related services identified in the student's IEP must be provided "at no cost to the parents." Parents' private health insurance and/or Medicaid may be used to pay for assistive technology devices and services. However, the parents must give permission to use their private insurance and Medicaid.

3. Q. Who owns the assistive technology that is purchased for the student?

   A. If the school district purchases the equipment, the equipment belongs to the school. If the device(s) is purchased by using private insurance, then the device belongs to the parent and is meant for the exclusive use of the student.

4. Q. Can the student take the assistive technology device(s) owned by the school to their home?

   A. Yes. If the IEP team determines that the student needs access to an assistive technology device at

home to implement the educational program, the student may take it home. For example, a student with a physical disability may not be able to complete homework assignments without access to a calculator at home.

5. Q. When the student moves from one level of schooling to another, such as from elementary school to middle school, does the device follow the student?

   A. If an assistive device is necessary to fulfill the requirements of the student's IEP, such a device must be provided in the school the student attends. The same device may not necessarily follow the student from one school to another, but a comparable device that fulfills the IEP requirements will be needed in the new school.

6. Q. When a student is transitioned from school to employment or other post-school environments, what happens to the assistive technology device?

   A. If the school district paid for the device, the school would need to make that decision.

7. Q. Does the student have access to assistive technology devices and services if he/she is eligible for extended school year services?

   A. Yes. If the IEP team determines that the assistive technology is needed as part of the extended school year services, then the student needs access to the assistive technology.

8. Q. Can an assistive technology device be used by more than one student?

A. Yes. An assistive technology device may be shared if it is the property of the school and each student who requires use of the device has access to it as needed.

9. Q. Is a school district responsible for providing "state of the art" equipment for the student?

   A, No. However, the school must provide appropriate technology for the student's need to ensure a free appropriate public education. The decision as to what type of assistive technology is appropriate should be based on the assistive technology evaluation recommendations and IEP team decision. If a less-expensive device would accomplish the same goal, the IEP team is under no obligation to choose a more expensive option.

10. Q. Can the school require the student to bring a personally owned assistive device, such as a laptop computer to school to do schoolwork?

    A. No. However, the family may wish the student to use his/her own equipment in school since he/she may be more familiar or comfortable with it. The IEP team should decide who is responsible for repair and maintenance of family-owned devices and document that decision.

11. Q. How can school districts use Medicaid funds to purchase assistive technology devices?

    A. A parent's private insurance must be accessed before Medicaid can be used for assistive technology devices.

12. Q. If a piece of assistive technology is no longer needed or relevant to a student and the device was paid for by private insurance, can it be donated for another student's benefit?

    A. Yes, it is a parental decision. The parent(s) could donate the device to the school for use by other students with disabilities.

13. Q. If a device is broken and is beyond repair, who replaces the broken device?

    A. If an assistive device is necessary for the student's IEP to be implemented, the school district must replace the broken device. If the device is broken at home through negligence, the parents could be held responsible for the repair costs.

14. Q. Are schools responsible for customization, maintenance, repair, and replacement of assistive technology devices?

    A. Assistive technology services such as customization, maintenance, repair, and replacement are included as considerations in the acquisition of equipment or devices purchased/provided by the school. Responsibilities for these services should be discussed at the IEP meeting and identified in the IEP notes or the IEP document.

    If family-owned assistive technology is used by the school and is listed in the IEP as necessary for providing free appropriate public education, the school might also be responsible for maintenance, repair, and replacement.

15. Q. What about the warranty for new equipment?
    A. The school should check the length of the warranty and find out exactly what is covered. One-year warranties are common. Extended warranties and service contracts will probably be available. For some devices, the manufacturer suggests annual maintenance. School districts should weigh the cost of warranties with the cost of the device.
16. Q. Should assistive devices be insured?
    A. It is in the school district's best interest to have insurance; however, cost of insurance versus the item's expense should be considered.
17. Q. What is the North Dakota Assistive Technology "Lemon Law"?
    A. The North Dakota Assistive Technology (AT) "Lemon Law" protects consumers when a device is defective or does not work right to meet the needs of the consumer. What are "AT Devices"? Examples can include: wheelchairs, elevators, magnification systems, communication devices, environmental control units, computer equipment, software, and adaptable toys. The Lemon Law does not cover: hearing aids, eyeglasses, dental prostheses, surgical implants or devices altered by consumer design.
18. Q. If a school district decides to develop a team of professionals to review assistive technology needs, who should be included?

A. A school district assistive technology team may include some or all of the following: parents, student, special education teacher, occupational therapist, speech/language pathologist, physical therapist, administrator/principal, school technology coordinator, general education teacher, school nurse, and maintenance worker. These individuals should periodically receive training regarding the effective use of assistive technology.

19. Q. Under what circumstances may assistive technology be considered a related service?

A. Assistive technology is a related service if the service is necessary for the student to benefit from his or her education. Training of staff, parents, and the student would be an example of a related service benefiting the student.

20. Q. Can the IEP team refuse to consider assistive technology devices on the IEP?

A. All IEP teams have the responsibility to consider a student's need for assistive technology devices and services, and for specifying those devices and services. Therefore, it is important that IEP teams are informed of the requirements to determine if a student needs an assistive technology device and service, and the need for an assistive technology evaluation to assist in making the determination.

21. Q. How is assistive technology integrated into the curriculum?

A. The IEP team needs to discuss how the device will be used by the student and how it will be integrated into the curriculum. The IEP team should identify in the IEP document how the device will be used by the student in the classroom. This information should be shared with the general classroom teachers, who are members of the IEP team, so they are aware of how it is to be used. Assistive technology should be used to help the student be involved in and progress from the general education curriculum.

22. Q. How can continuity with regard to assistive technology devices and services be achieved in the student's program from classroom to classroom, teacher to teacher, school to school, year to year?

A. Each student's IEP must be reviewed no less than annually. At the review, the IEP team should discuss and identify personnel training needs as they relate to the student's movement through the school program. This will help to provide continuity. For example, schools may assign case managers to oversee this process, or IEPs may describe the processes as they relate to individual students.

23. Q. If a student needs a computer, can a school-owned computer be used in the lab or classroom?

A. Yes, if the student has access to the equipment as needed. If the student does not have the necessary access, then the appropriate equipment should be purchased for the student's use. The IEP team will

decide as a group the need and use of computers on a case-by-case basis.

24. Q. Can an independent evaluation be requested to address assistive technology?

A. Yes. The school district is required to evaluate a student in all areas of suspected disability including, if appropriate, evaluating the student's need for assistive technology. A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school. However, the school may initiate a hearing to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. Individuals conducting the evaluation must be knowledgeable and have experience in conducting these assessments. If the parent obtains an independent educational evaluation at private expense, the results of the evaluation (1) must be considered by the school in any decision made with respect to the provision of FAPE to the student; and (2) may be presented as evidence at a hearing under this subpart regarding the student.

25. Q. What is a product system?

A. A product system is more than one piece of equipment working together to produce a result. Examples are an FM system utilized in conjunction

with a student's hearing aid to provide amplification in the classroom, or a computer with a voice synthesizer.

26. Q. Will the student become too dependent on technology and not learn to use the skills they have?

    A. Assistive technology should be used as support for access, learning, and performing daily tasks. If assistive technology is necessary for a student to have access to educational opportunities or to benefit from education, then it is a legitimate support. Some skills are too laborious or taxing to accomplish at a rate or with the degree of proficiency to allow participation in the least restrictive environment. With assistive technology, the student can participate more fully and more closely approximate the levels of achievement and interaction of his or her peers training needs as they relate to the student's movement through the school program.

27. Q. How can one distinguish between assistive technology and personal items?

    A. Currently, IDEA does not distinguish between assistive technology devices and personal items. This stems in large part from IDEA's broad definition of assistive technology. If a student with a disability needs an assistive technology device to ensure FAPE, then the school district and parents need to work together to find fiscal resource to purchase the item.

STATE ASSISTIVE TECHNOLOGY RESOURCES

Adaptive Equipment Services
West Sixth Street
Grafton, ND 58237
Phone: (800) 252-0491, ext. 4583

AgrAbility
15-21 Street South
Fargo, ND 58103
Phone: (800) 548-1372

Center for Innovation in Instruction
101 College Street SE
Valley City, ND 58072
Phone: (800) 804-8550

Department Human Services
600 East Boulevard, 3rd Floor - Judicial Wing
Bismarck, ND 58505
Phone: (701) 328-2310

Department of Public Instruction, Special Education
600 East Boulevard - 10th Floor
Bismarck, ND 58505-0440
Phone: (701) 328-2277

Developmental Disabilities Council
Dacotah Foundation Building
600 2nd Street #1B
Bismarck, ND 58504
Phone: (701) 328-8969

Division of Vocational Rehabilitation
Dacotah Foundation Building
600 South 2nd St #1B
Bismarck, ND 58504
Phone: (701) 328-8957

Interagency Program for Assistive Technology (IPAT)
P.O. Box 743
Cavalier ND 58220
Phone: (800) 265-IPAT

Media Resource Center
Anne Carlsen Center for Children
301 7th Avenue NW
Jamestown, ND 58401
Phone: (800) 568-5175

North Dakota Assistive Technology Info-Line
(Also includes a bulletin board exchange for used equipment)
Phone: (888) 214-2780

North Dakota Vision Services/School for the Blind
500 Stanford Road Suite A
Grand Forks, ND 58203-2799
Phone: (701) 795-2700

North Dakota School for the Deaf
1401 College Drive
Devils Lake, ND 58301-1596
Voice or TDD: (701) 662-9000

Pathfinder Parent Training and Information Center
1600 2nd Avenue SW
Minot, ND 58701
Phone: (701) 852-9426

State Library (Talking Books)
604 East Boulevard
Bismarck, ND 58505
Phone: (701) 328-1477

For more information about assistive technology aids and services in your school, contact:

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Name

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Phone

This document was developed by the North Dakota Assistive Technology Task Force and the Mountain Plains Regional Resource Center, an affiliate of the Center for Persons with Disabilities, a University Affiliated Program at Utah State University.

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